

Application Serial No. 10/501,043
Reply to Office Action of May 10, 2006

SEP 13 2006 PATENT
Docket: CU-3831

REMARKS/ARGUMENTS

In the Office Action mailed May 10, 2006, claims 1-58 were rejected under 35 U.S.C. §102(b) as being anticipated by Vavik, i.e., WO 01/76725. The Examiner contended that claims 1-50 of Vavik '625 are identical to claims 1-50 of the instant application. The Examiner then concluded that since Vavik '625 supported those claims and was published more than one year prior to this application's filing date, claims 1-50 of *this* application must therefore be invalid under 35 U.S.C. §102(b).

In addition to rejecting the claim under §102 because of Vavik '625, claims 1-58 were also objected to as lacking "the necessary status identifiers...." claims 1-58 were also rejected under 35 U.S.C. §112 ¶2.

By this amendment, claims 1-58 have been cancelled. Therefore, the Examiner's rejection of claims 1-58 has been rendered moot.

New claims 59-114 are submitted for examination. Of the new claims, only claim 59 is independent. The other claims all depend from claim 59 either directly or indirectly.

Since the total claim count after entry of this amendment is less than the total number of claims originally filed and since the original filing fee covered two independent claims, no additional fee is believed to be required by the cancellation of claims 1-58 and the filing of new claims 59-114. If a fee is required, the Commissioner is authorized to charge the deposit account of Ladas and Parry LLP any fee that is due.

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The new claims are believed to be directed to subject matter other than what is disclosed or claimed in the references that were cited by the Examiner in the Office Action.

Support for the new claims can be found in the specification text.

By way of example, claim 59 is supported by specification text in the Detailed Description but also by FIGS. 7-12, 15, 16 and 18 and the descriptions of those figures. Support for the new dependent claims also exists in the specification. No new matter has been added.

Since the Applicant has provided new claims that are believed to avoid the cited art, their consideration and allowance is respectfully requested.

Respectfully submitted,

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